

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

MARY JONES, et al.,)
vs.)
Plaintiffs,)
vs.) CIVIL ACTION NO. 1:06cv585-WHA
LAMAR GLOVER and THOMAS)
FLATHMANN,)
Defendants.)

ORDER

Upon a review of the file in this case, the court finds that it entered an order on March 22, 2007 (Doc. #42), treating the Notice of Dismissal (Doc. #39) as a Motion to Dismiss by the Plaintiffs, giving the Defendants until March 30, 2007, to show cause why the motion should not be granted as requested, and providing that the motion would be granted according to its terms if no response was filed by the Defendants. The court further finds that, although no response was filed by the Defendants, no order has been entered regarding the Plaintiffs' motion to dismiss Lamar Glover, individually and in his official capacity, as a party defendant.

The court also notes that on March 18, 2007, the Plaintiffs filed an Amended Complaint deleting all Defendants previously named other than Thomas Flathmann.

In order to avoid any possible confusion as to the parties in this lawsuit, it is hereby ORDERED as follows:

1. Plaintiffs' Notice (Doc. #39), treated as a motion, is GRANTED, and all claims against Lamar Glover, in both his official and individual capacities, are DISMISSED without prejudice.

2. This case will proceed against Thomas Flathmann as the sole Defendant.

DONE this 29th day of November, 2007.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE